

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Boat Registration and Safety Act is amended
5 by changing Section 4-1 as follows:

6 (625 ILCS 45/4-1) (from Ch. 95 1/2, par. 314-1)

7 Sec. 4-1. Personal flotation devices.

8 A. No person may operate a watercraft unless at least one
9 U.S. Coast Guard approved PFD of the following types or their
10 equivalent is on board for each person: Type I, Type II or Type
11 III.

12 B. No person may operate a personal watercraft or specialty
13 prop-craft unless each person aboard is wearing a Type I, Type
14 II, Type III or Type V PFD approved by the United States Coast
15 Guard.

16 C. No person may operate a watercraft 16 feet or more in
17 length, except a canoe or kayak, unless at least one Type IV
18 U.S. Coast Guard approved PFD or its equivalent is on board in
19 addition to the PFD's required in paragraph A of this Section.

20 D. A U.S. Coast Guard approved Type V personal flotation
21 device may be carried in lieu of the Type I, II, III or IV
22 personal flotation device required in this Section, if the Type
23 V personal flotation device is approved for the activity in

1 which it is being used.

2 E. When assisting a person on waterskis, aquaplane or
3 similar device, there must be one U.S. Coast Guard approved PFD
4 on board the watercraft for each person being assisted or towed
5 or worn by the person being assisted or towed.

6 F. No person may operate a watercraft unless each device
7 required by this Section is:

8 1. Readily accessible;

9 2. In serviceable condition;

10 3. Of the appropriate size for the person for whom it
11 is intended; and

12 4. Legibly marked with the U.S. Coast Guard approval
13 number.

14 G. Approved personal flotation devices are defined as
15 follows:

16 Type I - A Type I personal flotation device is an
17 approved device designed to turn an unconscious person in
18 the water from a face downward position to a vertical or
19 slightly backward position and to have more than 20 pounds
20 of buoyancy.

21 Type II - A Type II personal flotation device is an
22 approved device designed to turn an unconscious person in
23 the water from a face downward position to a vertical or
24 slightly backward position and to have at least 15 1/2
25 pounds of buoyancy.

26 Type III - A Type III personal flotation device is an

1 approved device designed to keep a conscious person in a
2 vertical or slightly backward position and to have at least
3 15 1/2 pounds of buoyancy.

4 Type IV - A Type IV personal flotation device is an
5 approved device designed to be thrown to a person in the
6 water and not worn. It is designed to have at least 16 1/2
7 pounds of buoyancy.

8 Type V - A Type V personal flotation device is an
9 approved device for restricted use and is acceptable only
10 when used in the activity for which it is approved.

11 H. The provisions of subsections A through G of this
12 Section shall not apply to sailboards ~~sailboats~~.

13 I. No person may operate a watercraft under 26 feet in
14 length unless a Type I, Type II, Type III, or Type V personal
15 flotation device is being properly worn by a sole occupant and
16 each person under the age of 13 on board the watercraft at all
17 times in which the watercraft is underway; however, this
18 requirement shall not apply to persons who are below decks or
19 in totally enclosed cabin spaces or to a person using an
20 electric motor intermittently to maneuver the watercraft for
21 short distances while fishing. As used in this subsection,
22 "sole occupant" means any person operating a watercraft without
23 another person on board who is authorized under the laws of
24 this State to operate the watercraft, and who is:

25 (1) age 18 or older; or

26 (2) age 12 or older, but younger than 18 years, and who

1 also is in possession of an approved boater safety card. ~~The~~
2 ~~provisions of this subsection I shall not apply to a person~~
3 ~~operating a watercraft on private property.~~

4 (Source: P.A. 90-411, eff. 1-1-98.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.